

REMARKS/ARGUMENTS

Claims 20-29, 32-64, and 66-68 are pending. Claims 1-19, 30-31, and 65 are canceled. Claims 24-29, 35, 36, 46-52, and 57-61 are withdrawn pursuant to a Restriction Requirement. In this Amendment, claims 20, 22, 41, 67, and 68 are amended, claims 62, 64, and 66 are canceled, and new claims 69-71 are added. Reconsideration of the claims is respectfully requested.

Claim Support

Support for the amended claims can be found at, for example, col. 12, line 44 to col. 13, line 6 and Figs. 12B and 12C of U.S. Patent No. 6,309,349, which the instant application incorporates by reference at page 6, lines 20-22. Support for the new claims can be found in the instant application at, for example, paragraph [0037] and Fig. 3. No new matter is introduced.

Rejection Under 35 USC §102

Claims 41-43, 45, 53, 54, and 56 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. 5,865,730 [“Fox”]. This rejection is traversed.

According to MPEP 2131, in order to anticipate a claim, a reference must teach all elements of the claim. Fox does not meet this test as applied to the amended claims.

Fox describes a tissue stabilization device, but does not suggest the presently recited combination of elements. Hence, Fox is not an anticipatory reference. Withdrawal of this rejection is respectfully requested.

Rejection Under 35 USC §103

Claims 44 and 55 were rejected under 35 U.S.C. §102(b) as allegedly obvious over Fox in view of US 2003/0060685 [“Houser”]. This rejection is traversed.

As noted above, Fox does not suggest the presently recited combination of elements. Houser describes a tissue stabilizer, but does not remedy the deficiencies of Fox. Hence, Fox and Houser do not support a *prima facie* case of obviousness with regard to the amended claims. Withdrawal of this rejection is respectfully requested.

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PATENT

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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